

Attorney Docket No.: P-6624-US

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DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below under my name.

I believe that I am the original and first sole inventor or an original and first joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR THE FABRICATION OF AN ELECTRO-OPTICAL MODULE

the Specification of which



is attached hereto

was filed on February 20, 2005

as United States Application Number or PCT International

Application No. PCT/IL2005/000208

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified Specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim priority under Title 35, United States Code, §119 of any provisional application filed in the United States in accordance with 35 U.S.C. §119(e), or any application for patent that has been converted to a Provisional Application within one (1) year of its filing date, or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FILED APPLICATION(S)

<u>APPLICATION NUMBER</u>	<u>COUNTRY</u>	<u>(DAY/MONTH/YEAR FILED)</u>	<u>PRIORITY CLAIMED</u>
60/545,171	US	18 February 2004	YES
60/545,496	US	19 February 2004	YES
PCT/IL2005/000208	IL	20 February 2005	YES

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by

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the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NO.	FILING DATE (DAY/MONTH/YEAR)	STATUS - PATENTED, PENDING, ABANDONED
--------------------	---------------------------------	--

I hereby appoint as my attorney(s) and agent(s) Mark S. Cohen (Attorney, Registration No. 42,425) or Calcb Pollack (Attorney, Registration No. 37,912) or Guy Yonay (Attorney, Registration No. 52,388) or Guy Levi (Attorney, Registration No. 55,376) or Naim Shiehrur (Agent, Registration No. 56,248) or Rachel Teitelbaum (Agent, Registration No. 56,708) or David A. Loewenstein (Attorney, Registration No. 35,591) or Robert D. Schaffer (Attorney, Registration No. 33,775) or Michael A. Yamin (Agent, Registration No. 44,414), said attorney(s) and agent(s) with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. These attorneys and agents are associated with Customer Number 49443.

Please address all correspondence regarding this application to:
PEARL COHEN ZEDEK LATZER, LLP
1500 BROADWAY, 12TH FLOOR
NEW YORK, NEW YORK 10036

Customer No. 49443

Direct all telephone calls to (646) 878-0800 and all facsimiles to (646) 878-0801.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR: SHEMI, Amotz

FULL RESIDENCE ADDRESS: 24 Malehci Yehuda Street, Herzliya 46348, Israel

COUNTRY OF CITIZENSHIP: Israel

FULL POST OFFICE ADDRESS: same

SIGNATURE OF INVENTOR _____

DATE _____
(day / month / year)

10.06.07 2007 17.00

80 11 00012

J. 1043 1. 4

Attorney Docket No.: P-6524-US

FULL NAME OF INVENTOR: MALINOVICH, Yacov

FULL RESIDENCE ADDRESS: 16 Zaid St, Tivon 36021, Israel

COUNTRY OF CITIZENSHIP: Israel

FULL POST OFFICE ADDRESS: same

SIGNATURE OF INVENTOR

DATE 15 01 2007
(day / month / year)

FULL NAME OF INVENTOR: ARAD, Eli

FULL RESIDENCE ADDRESS: 12 Arnon St., Tel Aviv 63455, Israel

COUNTRY OF CITIZENSHIP: Israel

FULL POST OFFICE ADDRESS: same

SIGNATURE OF INVENTOR

DATE _____
(day / month / year)

3

COLORCHIP

NO.017 P.8/11

+972 4 637 7387 COLORCHIP LTD

15.JAN.2007 12:32

Attorney Docket No.: P-6624-US

FULL NAME OF INVENTOR: MALINOVICH, Yacov

FULL RESIDENCE ADDRESS: 16 Zaid St, Tivon 36021, Israel

COUNTRY OF CITIZENSHIP: Israel

FULL POST OFFICE ADDRESS: same

SIGNATURE OF INVENTOR _____

DATE _____
(day / month / year)

FULL NAME OF INVENTOR: ARAD, Eli

FULL RESIDENCE ADDRESS: 12 Arnon St., Tel Aviv 63455, Israel

COUNTRY OF CITIZENSHIP: Israel

FULL POST OFFICE ADDRESS: same

SIGNATURE OF INVENTOR _____

DATE 15 1 07
(day / month / year)

ATTACHMENT 3

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PTO/SB/82 (04-05)

Approved for use through 11/30/2005, OMB 0651-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	10/590,053
	Filing Date	August 21, 2006
	First Named Inventor	SHEMI, Amotz
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	P-6624-US

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☐ A Power of Attorney or Authorization of Agent is submitted herewith.

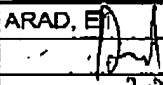
OR

☒ I hereby appoint the practitioners associated with the Customer Number: **56639**

☐ Please change the correspondence address for the above-identified application to:

☐ The address associated with
Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name	EMPK & Shiloh, LLP				
Address	116 John Street, Suite 1201				
Address	1700 Diagonal Road, Suite 450				
City	New York	State	NY	ZIP	10038
Country	USA				
Telephone	(212) 608 4141	Fax	(212) 608-4144		
I am the:					
<input checked="" type="checkbox"/> Applicant/Inventor					
<input type="checkbox"/> Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)					
SIGNATURE of Applicant or Assignee of Record					
Name	ARAD, E				
Signature					
Date	30, 9.07		Telephone		
Note: Signatures of all the inventors or assignees of record of the entire interest of their representatives(s) are required. Submit multiple forms if more than one signature is required, see below.*					
<input type="checkbox"/>	*Total of forms are submitted.				

This collection of information is required by 37 CFR 1.38. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

PTO/SB/02 (04-05)

Approved for use through 11/30/2005. OMB 0851-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	10/580,053
	Filing Date	August 21, 2006
	First Named Inventor	SHEMI, AMotz
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	P-6624-US

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☐ A Power of Attorney or Authorization of Agent is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number: **56639**
☐ Please change the correspondence address for the above-identified application to:

☐ The address associated with
Customer Number:

OR

☐ Firm or
Individual Name **EMPK & Shiloh, LLP**
Address **116 John Street, Suite 1201**Address **1700 Diagonal Road, Suite 450**City **New York** State **NY** ZIP **10030**Country **USA**Telephone **(212) 698-4141** Fax **(212) 698-4144**

I am the:

☒ Applicant/Inventor

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name **MALINOVICH, Yacov**

Signature

Date **10/9/07**Telephone **+972-9-9931378**

Note: Signatures of all the inventors or assignees of record of the entire interest of their representatives(s) are required. Submit multiple forms if more than one signature is required, see below.*

☐ *Total of forms are submitted.

This collection of information is required by 37 CFR 1.58. The information is required to obtain or maintain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ATTACHMENT 4

DECLARATION OF SHAI BELZER IN SUPPORT OF
PETITION UNDER 37 C.F.R. §1.47(a)

I, Shai Belzer, declare as follows, under penalty of perjury:

1. I am employed as the Chief Financial Officer of ColorChip, Ltd. Of 1 Leshem Street, Industrial Park, Caesarea 38900, Israel (hereafter, "ColorChip.") since November 20, 2005

2. I am making this Declaration in support of a Petition being submitted to the U.S. Patent and Trademark Office to accept U.S. Patent Application Ser. No. 10/590,053, filed on August 21, 2006 (the '053 Application), without a declaration signed by one of the inventors, Dr. Amotz Shemi, a former ColorChip employee. This declaration is based on personal knowledge and on records of ColorChip, which I believe to be correct

3. According to ColorChip's records, Dr. Shemi was employed by ColorChip as Chief Executive Officer from October 3, 2002 to July 4, 2005.

4. The '053 Application is a U.S. National Phase application based on international application PCT/IL2005/000208 (the PCT Application).

5. It was determined that Dr. Amotz Shemi, Yacov Malinovich, and Eli Arad, all employees of ColorChip, were the inventors of the subject matter of the PCT Application. Dr. Shemi, and Messrs. Malinovich and Arad, were accordingly requested to sign a Declaration for the U.S. '053 Application. Messrs. Malinovich and Arad signed the declaration without objection.

6. On August 30, 2007, I sent copies of several documents, including the Declaration for the '053 Application, to Dr. Shemi by Registered Mail at the following address, indicated in ColorChip's records as Dr. Shemi's last known address:

24 Malchei Yehuda Street
Herzliya 46348
Israel

7. Along with the other papers I included a letter dated August 29, 2007 requesting Dr. Shemi to sign and return the documents. A copy of my letter is attached as Exhibit A.

8. On September 25, 2007, Dr. Shemi called me and told me he had received the papers. I verbally requested Dr. Shemi to sign the Declaration for the '053 Application, and he verbally refused to do so. According to my understanding, Dr.

Shemi's departure from ColorChip, was not on friendly terms. In our September 25 conversation, Dr. Shemi responded with hostility, and stated, in effect, that under the circumstances, it was outrageous for ColorChip to ask for his cooperation.

9. It was clear from the conversation that Dr. Shemi understood exactly what I wanted him to do, and it was clear that he would not do it.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 19001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date 18 December 2007



Shai Belzer

EXHIBIT A



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August, 29, 2007

Attention: Amotz Shemi

Dear Amotz,

During our patent filing process we were surprised to learn that several documents that require your signature were never signed.

The Patents that I refer to are:

- System and Method for manufacturing of electro-optical module
- Methods and Process of tapering waveguides and of forming optimized waveguide structures.

For your convenience attached please find all the necessary documents that require your signature.

I would appreciate it if you would sign on the signature block and fax the documents to fax number: 04.6377307.

Please send the original signed documents to:

ColorChip (Israel) LTD
Attention Shai Belzer
1 Leshem St. Caesarea 38900 Israel.

Thanks for your cooperation, please do not hesitate to contact me for any clarification.

Best Regards

Shai Belzer

Chief financial officer

Color-Chip

ColorChip (Israel) Ltd., 1 Leshem St., P.O. Box 3133 Industrial Park, Caesarea 38900,
Tel: +972 4 637 8667, Fax: +972 4 637 7307
e-mail: info@color-chip.com, Website: <http://www.color-chip.com>